

# SENATE BILL REPORT

## SB 5370

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As of January 26, 2009

**Title:** An act relating to allowing electronic approval of vital records.

**Brief Description:** Allowing electronic approval of vital records.

**Sponsors:** Senators Franklin, Becker, Fairley, Keiser, Marr and Murray; by request of Department of Health.

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 1/26/09.

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Staff:** Edith Rice (786-7444)

**Background:** In Washington State, each death is registered in the county where the death occurred. The vital records law, chapter 70.58 RCW, requires that the death certificate be signed by a funeral director; a medical certifier; and a county deputy registrar. The department of Health (department) has developed the web-based electronic death registration system (EDRS) that allows funeral directors and cause-of-death-certifiers, such as medical examiners, coroners, and physicians, to complete and file death records electronically. The EDRS allows death records to be filed more rapidly, by replacing the previous method of taking the paper death certificate from place to place to obtain the required written signatures—a process that could take up to 60 days. The department has used a phased approach to implement EDRS, and it is currently used in seven counties.

Current law, chapter 70.58 RCW, requires that a physician or other authorized medical certifier sign the death certificate. In order to do this electronically, medical examiners, coroners, and county clerks must have a digital certificate (electronic signature) which complies with the Electronic Authentication Act, chapter 19.34 RCW.

Applying for a digital certificate requires the disclosure of personal information such as social security numbers and credit card information over a secure Web site. The department has indicated that the digital certificate process requires extensive field services and information technology support to successfully acquire the digital certificate for participants. The certification is required yearly and must be updated for changes in personal information. The digital signature requirements increase the time required to electronically complete a

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death certificate by four times over what is required to complete it as a paper death record. The number of death certificates filed electronically is declining. The department has asserted that this is due in part, to the fact that some medical examiners refuse to use digital certificates.

In order to be appointed as a medical examiner a person must either be certified as a forensic pathologist by the American board of pathology, or a qualified physician eligible to take the American board of pathology exam in forensic pathology with one year of being appointed.

**Summary of Bill:** Death certificates are allowed to be approved by authorized medical certifiers electronically in addition to written signatures. This electronic approval must be consistent with policies, standards, and procedures developed by the Information Services Board. Medical examiners are added to the list of individuals authorized to certify the cause of death.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This will increase efficiency in the process, as well as eliminate errors. It has been shown to save time and increase accuracy in pilot programs. The digital process is lengthy and slow. We expect a higher participation rate and anticipate greater accuracy.

**Persons Testifying:** PRO: T.K. Bentler, Washington State Funeral Directors Association; Laurie Jenkins, Tacoma Pierce County Health Department, Washington State Association of Public Health Officials; Jude Van Buren, Washington State Department of Health.